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W. SCOTT HARKONEN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

W. SCOTT HARKONEN,

Defendant.

Case No: CR 08-0164 MHP

**STIPULATION AND ~~[PROPOSED]~~  
ORDER RE: LENGTH OF POST-TRIAL  
MOTIONS BRIEFS**

WHEREAS, this Court's Local Rules provide that a motion in a criminal case is not to exceed 25 pages in length, *see* Crim. L.R. 47-2(b); Civil L.R. 7-2(b);

WHEREAS, on December 4, 2009, defendant W. Scott Harkonen filed a combined brief, of 45 pages long, bringing motions for dismissal of the indictment, for a judgment of acquittal under Federal Rule of Criminal Procedure 29, and for a new trial under Federal Rule of Criminal Procedure 33;

WHEREAS, Dr. Harkonen could have brought the motions under Rules 29 and 33 separately, with each separate motion up to 25 pages in length (for a combined total of 50 pages), but instead filed a combined brief for the convenience of the Court and the government;

WHEREAS, the government has requested, and Dr. Harkonen agrees, that the government may exceed the page length limitations for its opposition brief, *see* Crim. L.R. 47-2(d); Civil L.R. 7-4(b);

WHEREAS, Dr. Harkonen has requested, and the government agrees, that Dr. Harkonen may exceed the page length limitations for its reply brief, *see* Crim. L.R. 47-2(d); Civil L.R. 7-4(b);

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, that Dr. Harkonen's combined post-trial motions brief may be up to 45 pages long; that the government's opposition brief may be up to <sup>45</sup>~~50~~ pages long, and Dr. Harkonen's reply brief may be up to 25 pages long.

IT IS SO STIPULATED:

DATED: December 9, 2009

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

By: /s/ William M. Goodman  
WILLIAM M. GOODMAN  
Counsel for Defendant  
W. SCOTT HARKONEN

1 DATED: December 9, 2009

2  
3 By: /s/ Ioana Petrou  
4 IOANA PETROU  
5 ASSISTANT UNITED STATES ATTORNEY  
6 Counsel for Plaintiff  
7 UNITED STATES OF AMERICA

8 PURSUANT TO STIPULATION, IT IS SO ORDERED:

